

BK1001727

MRH

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
AT CINCINNATI

IN RE:

Case No. 09-15094

Jason S. Patrick

Chapter 13
Judge Aug Jr.

Debtor

**AFFIDAVIT OF DEFAULT
(PROPERTY ADDRESS:
1811 TILDEN AVENUE,
CINCINNATI, OH 45212)**

Now comes, Kara Knable, being first duly sworn, deposes and says that she is Assistant Vice President of U.S. Bank, N.A. by and through U.S. Bank Home Mortgage; that in such job position she has custody and personal knowledge of the information in the accounts of said servicer, which information is compiled in the ordinary course of business, and that affiant is familiar specifically with the account of Jason S. Patrick, debtor herein, regarding property located at 1811 Tilden Avenue, Cincinnati, OH 45212.

Further affiant states that said account is in default for a total post-petition arrearage of \$6,440.30, which consists of:

Post Petition Payments:

Amount	Date Due
695.33	June 1, 2010
695.33	July 1, 2010
695.33	August 1, 2010
695.33	September 1, 2010
720.44	October 1, 2010
720.44	November 1, 2010

Post-Petition Late Charges:

Amount	Date Due
27.81	June 15, 2010
27.81	July 15, 2010
27.81	August 15, 2010
27.81	September 15, 2010
28.81	October 15, 2010
28.81	November 15, 2010

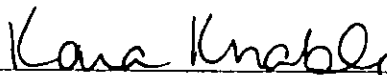
Stipulated Payments:

Amount	Date Due
380.11	June 10, 2010
380.11	July 10, 2010
380.11	August 10, 2010
380.11	September 10, 2010
380.11	October 10, 2010
380.11	November 10, 2010

less debtor's suspense balance of \$231.42, plus additional late charges of \$0, have not been made; that the debtor has failed to comply with the Agreed Order on Motion for Relief from Stay entered herein on April 2, 2010 as Docket #39; and that U.S. Bank, N.A. by and through U.S. Bank Home Mortgage has elected to terminate the automatic stay and call the entire balance of said account due and payable in accordance with the terms of the ~~note~~ and mortgage, and the said Agreed Order.

Affiant states that on November 29, 2010 a letter was sent to debtor and the debtor's counsel notifying them that the debtor has failed to comply with the terms of the Agreed Order. Debtor did not cure the default within the allotted 10 day period. A copy of said letter is attached hereto as Exhibit "A".

Affiant knows of her/his own knowledge that the averments set forth herein are true and correct.

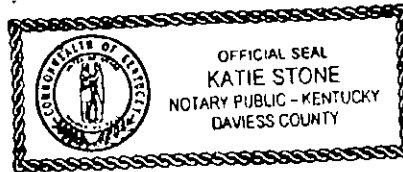

Kara Knable

Title: Assistant Vice President

STATE OF Kentucky)
)ss:
COUNTY OF Daviess).

Subscribed and sworn to (or affirmed) before me, a Notary Public, this 28th day of December 2010, by Kara Knable or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Katie Stone
Notary Public



CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing Affidavit of Default of the secured creditor, U.S. Bank, N.A. by and through U.S. Bank Home Mortgage, was electronically transmitted on or about January 11, 2011 via the Court's CM/ECF system to the following who are listed on the Court's Electronic Mail Notice list:

Henry D Acciani, Esq.
1014 Vine Street
2200 Kroger Building
Cincinnati, OH 45202
esb@oal-law.com

Margaret A. Burks
600 Vine Street
Suite 2200
Cincinnati, OH 45202
Cincinnati@cinn13.org

Office of the U.S. Trustee
36 East Seventh Street, Ste. 2050
Cincinnati, OH 45202
Ustpregion09.ci.ecf@usdoj.gov

The undersigned certifies that a copy of the foregoing Affidavit of Default of the secured creditor, U.S. Bank, N.A. by and through U.S. Bank Home Mortgage, was transmitted on or about January 11, 2011 via regular U.S. mail, postage pre-paid:

Jason S. Patrick
1811 Tilden Avenue
Cincinnati, OH 45212

Arrow Financial Services
c/o Levy and Associates
4645 Executive Drive
Columbus, OH 43220

Atlantic Credit & Finance
c/o Levy and Associates
4645 Executive Drive
Columbus, OH 43220

Ohio Housing Finance Agency
57 East Main Street
Columbus, OH 43215

/s/ Ronald C Taylor
Ronald C Taylor, Case Attorney
LERNER, SAMPSON & ROTHFUSS
Bar Registration No. 0083298
Attorneys for Movant
PO Box 5480
Cincinnati, OH 45201-5480
(513) 241-3100 ext. 3472
(513) 354-6464 fax
sohbk@lsrlaw.com